



Response After Final, Expedited Procedure  
Group Art Unit 1755

02280.003530.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: V.F. Faison
ARUN V. SHASTRY ET AL.	)	
	:	Group Art Unit: 1755
Application No.: 10/606,417	)	
	:	
Filed: June 26, 2003	)	
	:	
For: EDIBLE INKS FOR INK JET	)	
PRINTING ON EDIBLE	:	
SUBSTRATES	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RULE 1.132 DECLARATION OF THOMAS M. COLLINS

I, THOMAS M. COLLINS, declare as follows:

1. I am employed by Masterfoods USA, a wholly-owned subsidiary of Mars, Incorporated; my title is Senior Process Development Manager - Chocolate Group, Global Coordinator for Snackfood Technology Intellectual Property.

2. I am a named inventor on the above captioned application ("the Application") and I have supervisory responsibility for the work that resulted in the filing of the Application.

3. I make this Declaration in support of a Request for Reconsideration being submitted concurrently herewith, to remove U.S. Patent Application Publication No. 2002/0114878 (the "Ben Yoseph Application") as prior art.

4. I have read and understood the Application, and I have read and understood the Examiner's position set forth in the office action mailed July 27, 2005 (the Office Action"), wherein claims 5, 7, 8, 18, 19, 20, 22, 23, 25 26, 28-30, 26 and 38-41 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2003/0101902 (the "Reitnauer Application") in view of the Ben Yoseph Application.

5. I have read and understood the Request For Reconsideration being submitted herewith.

6. In making the rejection set forth in paragraph 4 above, the Examiner asserted at page 4 of the Office Action that the Ben Yoseph Application

teaches a chocolate confectionery with an edible image printed on the surface (abstract). The reference further teaches a high resolution image formed on the edible image-substrate coating, wherein the image will be comprised of a plurality of edible food grade inks.

7. I am a named inventor on the Ben Yoseph Application and I have read and understood that application.

8. Insofar as the Ben Yoseph Application teaches high resolution ink jet printing on edible substrates, that subject matter was the result of my own work with my co-inventors Arun V. Shastry, James M. Suttle, Eyal Ben-Yoseph, and Neil A. Willcocks,

and was conceived without assistance from Mr. Narine, who is the only inventor listed on the Ben Yoseph Application who is not a co-inventor on the Application

9. Thus, the portion of the Ben Yoseph Application being relied upon to reject the claims of the current application is my own work and that of my co-inventors.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Subscribed this 9<sup>th</sup> day of December, 2005.

Thomas M. Collins  
Thomas M. Collins